

**REMARKS**

In accordance with the foregoing, the specification and claims 3, 6, 10, 17, 20 and 22 have been amended to more clearly point out the invention and claims 46-71 have been added. Claims 25-31 have been cancelled without prejudice or disclaimer. Thus, claims 1-24 and 32-71 are now pending and under consideration. No new matter is included in this amendment.

**The 35 U.S.C. §102(b) Rejection:**

At page 2 of the Office Action, claims 1-3, 6, 7, 10, 15-25 and 28-45 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,881,032 to Ito et al.

This rejection is respectfully traversed. Anticipation requires the disclosure in a single prior art reference all of the features recited in the claim, arranged as in the claim.

Regarding claim 1, the Examiner refers particularly to FIGS. 13A, 13B and 13D of Ito et al. and asserts that "the quality of having the recorded address increase as the physical address increases is inherent to the figure, as the recording address would inherently increase in the direction of reproduction [from inner to outer radius], as would the physical address." FIG. 13D merely indicates a reproduction direction. There is no disclosure in Ito et al. of any association between "a physical address of the smallest recording units" and "an address of the smallest recording units recorded while recording on the disc," as recited in claim 1. Although the sector address mentioned at col. 2, line 6, may be considered as a physical address, there is no indication that the disk described with respect to FIGS. 13A-13D also includes "an address of the smallest recording units recorded while recording on the disc," as recited in claim 1.

Claims 2 and 3 are deemed to be patentable at least for similar reasons set forth regarding claim 1. Further, the embodiment of FIG. 3 has an opposite track spiral direction and not a "same track spiral direction," as recited in claim 1.

Regarding claim 6, the Examiner refers particularly to col. 5, lines 23-32. The portion at col. 5, lines 23-32, is related to relative values of sector addresses on the first and second recording layers and does not disclose that "on the first recording layer, an address of smallest recording units recorded while recording the disc decreases as a physical address of the smallest recording units increases and increases as the physical address decreases, from an inner radius of the first recording layer to an outer radius of the first recording layer." The portion at col. 5, lines 23-32 makes no mention of "an address ... recorded while recording the disc" as recited in claim 6.

Claims 7 and 10 are deemed to be patentable at least for similar reasons set forth above regarding claim 6.

Regarding claim 15, the Examiner refers particularly to FIGS. 1A, 1B and 1D of Ito et al. and asserts that "the quality of having the recorded address increase as the physical address increases is inherent to the figure, as the recording address would inherently increase in the direction of reproduction [from inner to outer radius], as would the physical address." FIG. 13D merely indicates a reproduction direction. There is no disclosure in Ito et al. of any association between "a physical address of the smallest recording units" and "an address of the smallest recording units recorded while recording on the disc," as recited in claim 15. There is no indication that the disk described with respect to FIGS. 1A-1D also includes "an address of the smallest recording units recorded while recording on the disc," as recited in claim 15.

Claims 16-24 are deemed to be patentable at least for similar reasons set forth above regarding claim 15.

Claims 25 and 28-31 have been cancelled without prejudice or disclaimer, thus the rejection of claims 25 and 28-31 is moot.

Claims 32-45 are deemed to be patentable at least for similar reasons set forth above regarding claims 1, 6 and 15.

**The 35 U.S.C. §103(a) Rejection:**

At page 12 of the Office Action, claims 4, 5, 8, 9, 11-14, 26 and 27 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 5,881,032 to Ito et al. in view of U.S. Patent 6,850,469 to Ogawa et al.

Claims 26 and 27 have been cancelled without prejudice or disclaimer, thus the rejection of claims 26 and 27 is moot. Claims 4 and 5 are deemed to be patentable at least for similar reasons set forth above regarding claim 1, claims 8, 9, and 11-14 are deemed to be patentable at least for similar reasons set forth above regarding claim 6.

**Drawing Changes:**

In FIG. 7D, labels P1 and R1 are interchanged to be consistent with the specification and the other drawings, wherein a solid line is universally used to represent a physical address (P) and a dashed line is used to represent a recorded address (R). Support for the correction of FIG. 7D and support for the addition of FIG. 7E is found in paragraph [0043]. Corrected FIG. 7D corresponds to the expression:  $\{(1P_i, 1R_d) (2P_i, 2R_d)\}$ . New FIG. 7E corresponds to the

expression: {(1Pd,1Ri) (2Pd,2Ri)}. Regarding FIG. 7E, see also original claim 39.

**Claim Amendments and Added Claims:**

Support for the amendment of claims 3, 6, 10, 17, 20 and 22 and the addition of claims 46-71 is found in the original claims and in the expressions of paragraph [0043]. For example, regarding claim 6, an address of smallest recording units recorded while recording the disc decreases as a physical address of the smallest recording units increases corresponds to the ordered pair, (1Pi, 1Rd) or [the address of the smallest recording units recorded while recording the disc] "increases as the physical address decreases" corresponds to the ordered pair (1Pd, 1Ri). See also FIGS. 5A-5D and FIGS. 6A-6D. As another example, support for the amendment of claim 10 is found in paragraph [0043] in the expressions: {(1Pd,1Ri) (2Pi,2Rd)}, {(1Pd,1Ri) (2Pd,2Ri)}, {(1Pi,1Rd) (2Pi,2Rd)}, and {(1Pi,1Rd) (2Pd,2Ri)} . See also FIGS. 6A-6D.

**Specification Amendments:**

Paragraphs [0020] and [0031] are amended to reference the added FIG. 7E. Paragraph [0043] is amended to clarify the specification by deleting two redundant ordered pairs. Two columns (left and right) of ordered pairs are shown in the original specification. There are nine (9) ordered pairs in each column. The ninth pair in the left column and the eighth pair in the right column were redundant. Further, the seventh pair in the right column and the ninth pair in the right column were redundant. In the above amended paragraph [0043] the ninth pair in each column is removed, leaving eight ordered pairs in each column with no redundant entries.

Paragraph [0034] is amended to correct a reference error.

**Conclusion:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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**AMENDMENTS TO THE DRAWINGS:**

The attached drawing includes changes to FIG. 7D and addition of FIG. 7E. The sheet containing FIGS. 7A-7E replaces the original sheet including FIGS. 7A-7D. In FIG. 7D, labels P1 and R1 are interchanged. For the convenience of the Examiner, an annotated sheet showing the changes made is attached. Approval of these changes to the drawings is respectfully requested.



FIG. 7A

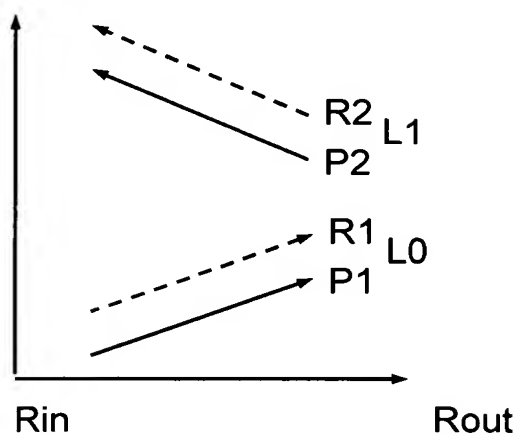


FIG. 7B

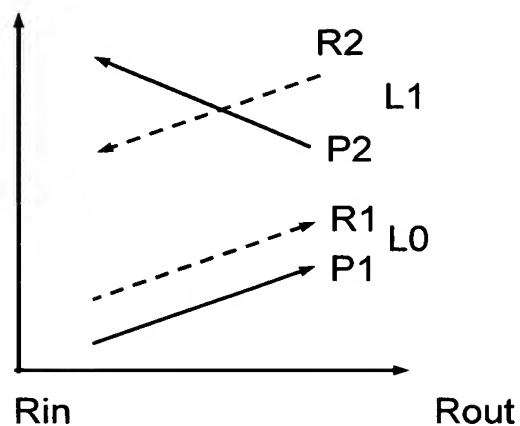


FIG. 7D

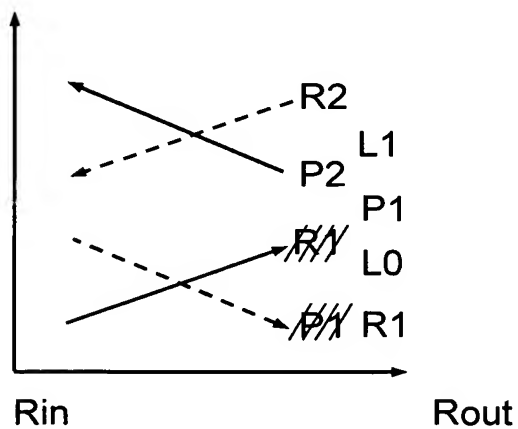


FIG. 7C

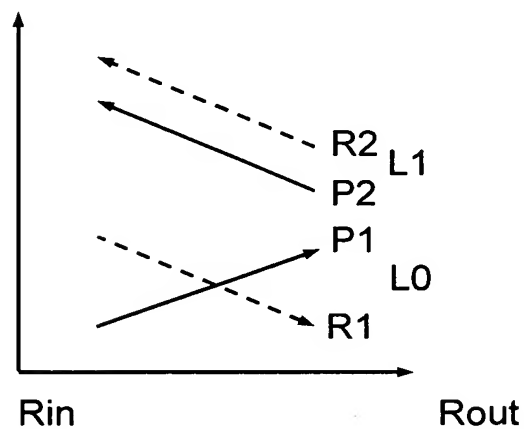


FIG. 7E

